UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/48/297
6 August 1993

ORIGINAL: ENGLISH

Forty-eighth session
Item 65 of the provisional agenda*

AMENDMENT OF THE TREATY BANNING NUCLEAR WEAPON TESTS IN THE ATMOSPHERE, IN OUTER SPACE AND UNDER WATER

Letter dated 5 August 1993 from the Permanent Representative of Indonesia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a message by Mr. Ali Alatas, Minister for Foreign Affairs of the Republic of Indonesia and President of the Amendment Conference of States Parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water on the occasion of the thirtieth anniversary of the signing of the Treaty (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as an official document of the General Assembly, under item 65 of the provisional agenda.

(Signed) Nugroho WISNUMURTI
Ambassador
Permanent Representative

* A/48/150.

ANNEX

Message dated 5 August 1993 by Mr. Ali Alatas, Minister for Foreign Affairs of Indonesia and President of the Amendment Conference of States Parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water on the occasion of the thirtieth anniversary of the signing of the Treaty

Today, the world commemorates the thirtieth anniversary of the signing of the Treaty Banning Nuclear Tests in the Atmosphere, in Outer Space and under Water. Widely known as the partial or limited test-ban treaty, it was rightly hailed as a trail-blazing event. Although the Treaty left much room for improvement by not banning underground nuclear test explosions, it was none the less a historic milestone in nuclear arms control and disarmament because it was the first agreement between the rival nuclear Powers. To encourage this positive development, dozens of non-nuclear-weapon States, including my own country, Indonesia, signed the Treaty within weeks after it was concluded.

This anniversary is special not because it marks a long passage of time, but because we observe it when, for the first time since the Treaty was signed, silence reigns at the nuclear-weapon test sites. Today, more than ever before, there is hope that the Treaty's promise of a total test ban will be finally fulfilled.

In 1988, on the twenty-fifth anniversary of the Treaty, Indonesia and five other States Members of the United Nations launched an effort to amend and to convert the 1963 Treaty into a comprehensive test-ban treaty. That effort was propelled as much by a keen sense of exigency as by hope. After we and the other non-nuclear-weapon States parties to the Treaty had waited in vain for a quarter of a century for the nuclear-weapon States to act on their own promise to do so, the only viable recourse left was to initiate the amendment process in accordance with the Treaty's provisions.

Thus, in January 1991, I had the honour of presiding over the Amendment Conference. Our hope of bringing the amendment process to its completion, however, could not be realized then, but the collective determination of the participants in the Conference was enough to at least prevent its outright termination.

The 1991 Conference empowered its President to consult with the parties to the Treaty to determine an appropriate time to resume its work. Accordingly, and pursuant to General Assembly resolution 47/46, I shall convene a special meeting of the States parties to the Treaty on 10 and 11 August 1993 in New York, expressly for the purpose of examining the feasibility of reconvening the Amendment Conference later this year. It will be a privilege for me to receive the guidance of the States parties on this matter.

I feel that this thirtieth year of the Treaty which has begun so hopefully should not come to an end without a concerted effort by the international community to finish the work begun three decades ago by United States President Kennedy, Soviet Premier Khrushchev, and British Prime

Minister Macmillan. If the will of the parties is to hold a second session of the Amendment Conference, I shall do everything in my power to ensure that it will be a fitting and propitious occasion for the nations of the world to reaffirm the pledge enshrined in the 1963 Treaty to "seek the discontinuance of all test explosions of nuclear weapons in all spheres for all time".

UNITED NATIONS **A S**

General Assembly
Security Council

Distr.
GENERAL

A/48/298
S/26255
6 August 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-eighth session
Item 115 (c) of the provisional agenda*
HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

SECURITY COUNCIL
Forty-eighth year

Letter dated 5 August 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith (see annex) the memorandum of the Federal Ministry for Human and Minority Rights of the Federal Republic of Yugoslavia in reply to the letter of the Permanent Representative of the Republic of Croatia to the United Nations of 12 July 1993 concerning the memorandum issued by the Union of Croat Refugees and Displaced Persons from Vojvodina (A/48/261-S/26073).

I should be grateful if you would have the text of the present letter and its annex circulated as an official document of the General Assembly, under item 115 (c) of the provisional agenda, and of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

---

* A/48/150.

Annex

MEMORANDUM OF THE FEDERAL MINISTRY FOR HUMAN AND MINORITY RIGHTS OF THE FEDERAL REPUBLIC OF YUGOSLAVIA

Further to the data contained in the letter of the Permanent Representative of the Republic of Croatia to the United Nations (A/48/261-S/26073), i.e., the data contained in the annexed memorandum of the Union of Croat Refugees and Displaced Persons from Vojvodina, included as an official document of the United Nations under item 115 (c) of the preliminary list of the General Assembly, in which it is averred that 35,000 Croats and 50,000 Hungarians (data from the letter of Croatian Ambassador Nobilo), i.e., 19,000 Croats and 35,000 Hungarians (data from the annexed memorandum) have been driven out or moved from the Federal Republic of Yugoslavia and the Republic of Serbia (its Autonomous Province of Vojvodina), the Federal Ministry for Human and Minority Rights of the Federal Republic of Yugoslavia herewith states categorically that, the inconsistent data presented in the letter and the annexed memorandum notwithstanding, the government organs of the Federal Republic of Yugoslavia have driven out or moved not a single individual nor do they know of any such case.

However, it is pointed out that it is true that a number of Hungarians dodged mobilization and left the country at the request of their national political party, the Democratic Community of Vojvodina Hungarians. At its request a number of secondary school and university students also left the Federal Republic of Yugoslavia and continued education in neighbouring Hungary. It is also true that a number of Hungarians left for Hungary and other European countries, but they did so for economic reasons, i.e., due to the worsening economic situation in the Federal Republic of Yugoslavia brought about by the unjust and unfair United Nations sanctions. However, the number of 50,000 or 35,000 Hungarians who have allegedly left the Federal Republic of Yugoslavia is untrue and arbitrary. The number of Hungarians who have left the Federal Republic of Yugoslavia is 10 times smaller and they did so at the request of their national political party. Not only did the government organs not force them to leave, but they called on them not to leave the country for economic reasons. Young people, in particular, were called on not to leave since all conditions exist in the Federal Republic of Yugoslavia to attend schools in Hungarian and in the languages of other national minorities.

It is also known that a number of Croats moved from the Federal Republic of Yugoslavia. They exchanged their property with Serbs from the Republic of Croatia and, unlike the Serbs who were not allowed to take their property out of Croatia, the Croats did take all their movable property and left the Federal Republic of Yugoslavia unperturbed for Croatia, where they legalized their property.

In addition to the false and arbitrary data presented by the Croatian side, the States Members of the United Nations and their distinguished representatives should also know that, far from being forced to leave their homes and property, many Croats who did decide to go, did so motivated by profiteering. Most often they would exchange their relatively small property in Vojvodina for the property of Serbs in Croatia worth 10 times more. Much information on these

unequal property exchanges is contained in numerous depositions made by Serbs expelled from Croatia, kept and available in the Information Centre of the non-governmental organization of the All-Serbian Sabor. According to the evidence contained in these depositions, many of the Croats who left Vojvodina (but not for the reasons cited in the said memorandum, although individual cases of mistreatment and pressure can never be excluded) visited Croatia and assessed their future property beforehand and left Vojvodina only thereafter since, unlike Serbs in Croatia, they were allowed to leave and return to the Federal Republic of Yugoslavia freely. Many Croats who left in this way, left willingly in the knowledge that they were getting a very good deal in the exchange. However, there were also cases of some Croats returning to Vojvodina since they were not satisfied with what they had been offered in exchange.

It is further pointed out that at the 1991 census citizens in the Federal Republic of Yugoslavia were allowed to declare themselves also as Bunjevci and as many as 24,000 of them who had formerly declared themselves as Croats declared themselves as Bunjevci. Furthermore, a number of Croats left the Federal Republic of Yugoslavia for economic reasons, which again is a consequence of the imposition of the United Nations sanctions. There is no evidence whatsoever of physical harassment or pressure, least of all of the destruction of private property. This certainly could not be concealed since the consequences of such actions are visible. Besides, cultural and religious establishments of all members of national minorities continue their work unperturbed and no pressure is being brought to bear on any of their representatives.

However, there are countless instances of the destruction of property in Croatia only because the property belongs to Serbs, while the destruction of Serbian churches and other religious establishments for the purpose of creating an impression of insecurity among Serbs and thus inducing them to leave Croatia in order to save their lives is not an uncommon practice at all. What is more, these acts of violence were preceded by media campaigns and were often whipped up by elected representatives in Croatian State institutions or even by ministers in the Croatian Government. The representative in the Croatian Sabor Prkacin and former Justice Minister Misetic, for instance, publicly stated that Serbs were State enemies and the fifth column in Croatia who remained in order to save their jobs and property. This was a signal call for a wanton persecution of Serbs. Villages and towns up and down Croatia were scurried to by only too eager and fervent property-list takers who would make lists of Serbian houses and business establishments, whereupon the harassment of their owners ensued, often followed by oral orders of uniformed persons that they leave Croatia within a matter of hours. This accounted for a mass exodus of Serbs from Croatia, especially from larger cities and towns like Zagreb and Rijeka, where Serbs always lived in substantial numbers and where they left invaluable land and property.

In this way Croatia completed the ethnic cleansing of its territory. Suffice it to say that, according to the United Nations data, in 1991 and 1992, 251,000 Serbs, or two thirds of the overall Serbian population of Croatia, were expelled from Croatia, excluding Krajina. Particularly harsh treatment was meted out to the Serbian population in urban centres like Rijeka, Zadar, Split, Zagreb and Osijek, while unprecedented brutality was evinced in Western Slavonia. The Serbian population in this part of the present-day Republic of

Croatia was not only "cleansed"; it was literally "mopped". In the overall 280 settlements, Serbs were totally eliminated from 10 urban and 183 rural settlements, while from 87 of them they were eliminated partially.

The methods applied during the ethnic cleansing in Croatia were extremely brutal: Serbs were killed, slaughtered, executed without trials and mistreated and humiliated in Croatian prisons in a most degrading way.*

---

* The following examples, contained in Report Two of the Government of the Federal Republic of Yugoslavia, are given for illustration purposes.

At Marino Selo between Pakrac and Kutina, the members of the military police of the Croatian National Guard opened in the last quarter of 1991 a temporary camp where they killed, according to as yet incomplete data, about 80 Serbs from the parts and settlements of Slavonia in which the Serbian population offered no armed resistance to the Croatian regime. Before they were killed, the Serbs were terrorized in a most bestial way: they were stabbed and beaten by metal rods, salt was put in their wounds, electrical shocks were applied to the emaciated and exhausted prisoners and they were forced to cut each other's ears.

On 19 December 1991, after they surrounded the village of Masovicka Sagovina in south-western Slavonia, the members of the Croatian National Guard chased and killed local Serbs in village streets in order to intimidate other villagers.

On 10 December 1991, the villages of Slobostina, Jeminovci, Snjegavici and Vucjak Cecavski were bulldozed and razed to the ground by the members of the Croatian National Guard, and all their villagers were killed since they did not obey the order of the Crisis Committee of Slavonska Pozega to move out and go to a "camp" allotted them. Twenty-four villages were "cleansed" in this way in Western Slavonia.

In the village of Omanovac near Pakrac, which had a Croatian majority, a Serb, G.B., the local postman, was killed. After his burial, 23 local Serbs left the village afraid that they too might become victims of Croatian terror. Their apprehension proved justified since the few Serbs who remained were subsequently terrorized, especially in October 1991 when a "cleansing" unit of the Croatian Army arrived in the village from Varazdin. Many Serbs were then arrested and their homes were dynamited so that they would have no place to return to.

In December 1991, a mass exodus of Serbs from Mount Psunj and Mount Papuk took place. The local Serbs fled before the invading Croatian Army. The flight was caused by the news of countless crimes committed by Croatians, especially of the burning of Serb villages and the liquidation of the Serb population in those parts of Western Slavonia under the control of Croatian authorities.

Serb women were systematically raped, especially in prisons in Split ("Lora"), Sibenik, Slavonska Pozega and Kerestinec; blood plasma was taken from Serbs (Vukovar Hospital); Serb cultural heritage was destroyed; 97 Orthodox churches were dynamited, including the Residence of the Pakrac Bishop from 1732. The memorial compound of Jasenovac, erected in memory of 700,000 Serbs killed in the concentration camp that existed at the site during the Second World War by Croatian Ustashe in their drive to "solve the Serbian question", was also destroyed; pressure of centuries-old Catholic proselytism was brought to bear on Serbs all over again. The first step was the campaign to change Serb personal and family names. Several thousands of citizens of Croatia of Serb nationality have already changed their names. In Zadar that number is 887 (268 in 1991 and 619 in 1992), in Rijeka 1,587, in Split 1,130 and a number of thousands in Zagreb. Slobodna Dahnacija, until recently the only independent newspaper in Croatia, reported on these name changes; pathological hatred was being sowed over many years from church pulpits and controlled media, fiercer even than the racist propaganda in Hitler's Germany (it went so far that books in Cyrillic, kept in home libraries, were considered as proof of Serbophillia!); lists of Serb intellectuals, artists and cultural workers or of other prominent or well-to-do Serbs were published, distributed, publicly displayed or even publicly sold (!) whereby these Serbs were exposed to harassment and mistreatment, dismissed from their jobs or taken to the police for interrogation; their apartments were searched and telephones disconnected, their property was looted and they were liquidated at night, etc.; 6,000 Serbian houses, business establishments and cultural institutions were dynamited; and criminal proceedings were instituted against 20,000 "insurgent" Serbs (according to the official data of the Croatian authorities, whereas the real number is much greater) for the criminal act under article 236 of the Criminal Code of Croatia. The amnesty that followed in September 1992 had by and large no practical effect on these people since prosecutors were empowered to keep their cases in the procedure by lodging a complaint, which most of them did. Ample evidence of the Croatian "justice" meted out to Serbs in Croatia is contained in the report of Amnesty International; and of the denial of citizenship to Serbs. Non-Croats often have to wait to be admitted to Croatian citizenship more than a year and quite a substantial number of them are refused. The Croatian citizenship law provides for the possibility of denying citizenship without explanation to a person who otherwise fulfils all conditions for being granted citizenship (art. 26, paras. 3 and 4, of the said Law). Citizenship is the key category. Suffice it to say that according to article 1, paragraph 2, of the Constitution of the Republic of Croatia, the "power stems from the people and belongs to the people as a community of free and equal citizens". The persons who are denied citizenship enjoy no civil or political rights, they cannot get a job, they are denied licence to open a private business, they have no property or inheritance rights, they cannot make any financial claims, they cannot even collect their savings, are denied the right to vote and cannot contract marriage.

All this happened unnoticed by the international public and information media. If the world did take the trouble to take notice, attention was then focused on individual cases and incidents.

The real dimension of the ethnic cleansing committed against the Serb population in Croatia will be possible to ascertain only if the international community forces Croatian authorities to carry out a census under international supervision in the territory they control (except Krajina) and if an independent

inquiry is carried out in the prosecution and expulsion of Serbs. It is safe to say that only the territories in Croatia in which Serbs offered armed resistance were not ethnically cleansed (Serbian Krajina).

The difference between the position of Serbs in Croatia and the Croats in the Federal Republic of Yugoslavia is in that Croats are allowed to travel freely to Croatia, while fugitive Serbs are banned entry into Croatia and those Serbs who remain in Croatia cannot move around the country freely. Another piece of evidence of the attitude of Croatian authorities towards Serbs is the fact that all bishops of the Serbian Orthodox Church have been expelled from Croatia. At the same time, the dignitaries of all churches perform their duties freely, including those of the Catholic Church.

The Federal Ministry of Human and Minority Rights sincerely hopes that the United Nations and the international community will verify the allegations of the position of Serbs in Croatia and obtain a first-hand knowledge of their human and property rights. On their part, this Ministry and the Government of the Federal Republic of Yugoslavia will take necessary measures to check each and every case cited in the memorandum of the Union of Croat Refugees and Displaced Persons from Vojvodina, confident that the allegations presented in it are unfounded. However, if it is established that some citizens of the Federal Republic of Yugoslavia of Croat nationality were pressured to leave, appropriate legal measures will be taken against the persons suspected of exerting that pressure. We undertake to inform of the results of such investigations, all the more so since the Federal Republic of Yugoslavia has long and unjustly been the favourite "whipping-boy" of the international community and since we want to show that, as guaranteed in its Constitution, all citizens of the Federal Republic of Yugoslavia, irrespective of their national origin and religion, live as equals, the most prominent example of which has always been multinational Vojvodina, in which over 20 ethnic communities have lived side by side for many years. After all, it is neither our intention nor our interest to have people leave the Federal Republic of Yugoslavia because they belong to a national or ethnic minority, although we are well aware that there will always be those who will leave their country for economic reasons, which was the case (with a small number of possible exceptions) with Croats and Hungarians who have left the Federal Republic of Yugoslavia.